

22388 U.S. PTO  
10/731197



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<b>CONTINUING APPLICATION TRANSMITTAL FORM-37 CFR 1.53(b)</b>	ATTORNEY'S DOCKET NO. 0147-1 DIV2
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Address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

This is a request for filing a ☐ continuation ☒ divisional ☐ continuation-in-part of prior application

No. 09 / 828,330 filed on April 6, 2001 of

Inventor: Wayne P. Franco

Title: **METHODS OF USE OF FIBROBLAST GROWTH FACTOR, VASCULAR  
ENDOTHELIAL GROWTH FACTOR AND RELATED PROTEINS IN THE  
TREATMENT OF ACUTE AND CHRONIC HEART DISEASE**

- ☒ A Declaration and Power of Attorney is enclosed. The enclosed Declaration and Power of Attorney is:
  - ☒ a. A copy of the Declaration and Power of Attorney from the parent application. (Used with the same Or fewer inventors and (a) a copy of the prior application or (b) a revised, reformatted or edited Version of the prior application that does not contain new matter.)
  - ☐ b. A new Declaration and Power of Attorney. (Used with the same, fewer or additional inventors And (a) a copy of the prior application, (b) a revised, reformatted or edited version of the prior Application that does not contain new matter, or (c) a new specification.)
- ☐ Cancel in this application claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☒ The filing fee is calculated below.

	NUMBER FILED	NUMBER EXTRA	RATE	FEE
			\$385.00	\$385.00
TOTAL CLAIMS	20-20=	0	\$ 9.00	0
INDEPENDENT CLAIMS	3-3=	0	\$ 43.00	0
MULTIPLE DEPENDENT CLAIM PRESENT			\$145.00	0
			<b>TOTAL</b>	385.00

- ☒ Enclosed is a check in the amount of \$385
- ☒ Amend the specification by inserting before the first line the sentence: This application is a ☐ continuation ☒ divisional ☐ Continuation-in-part of application Serial No. 09/828,330 Filed April 6, 2001

The entire disclosure of the prior application(s) is hereby incorporated by reference in its entirety.

- ☐ a. Transfer the drawings from the pending prior application to this application.
- ☒ b. New informal drawings are enclosed.

7. ☒ Priority of U.S. Provisional Application No. 60/195,624 filed April 6, 2000  
is claimed under 35 U.S.C. 119(e).

8. ☐ a. Priority of foreign application no. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_  
(country) is claimed under 35 U.S.C. 119.

☐ b. The certified copy has been filed in prior application serial no. \_\_\_\_\_

9. ☐ The prior application is assigned of record to \_\_\_\_\_

10. ☒ A Preliminary Amendment is enclosed.

11. ☐ Information Disclosure Statement, PTO 1449 and Copies of Citations are enclosed.

12. ☒ The power of attorney in the prior application is to Ernest D. Buff, Esq., Reg. No. 25,833  
Ernest D. Buff & Assoc.  
245 South Street  
Morristown, NJ 07960

a. ☐ The power appears in the attached Declaration.

b. ☒ Since the power does not appear in the attached Declaration, a copy of the substitute Power of Attorney is enclosed.

13. ☒ Address all future communications:  
Ernest D. Buff, Esq.  
Ernest D. Buff & Assoc.  
245 South Street  
Morristown, N.J. 07960

14. ☒ Also enclosed: Sequence Listing as required by 37 CFR §1.821(c)

December 9, 2003



(Signature)

Ernest D. Buff (Reg. No. 25,833)

(Name & Registration Number)

973-644-0008

(Phone)

973-644-4554

(Fax)

Correspondence Address:

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